

KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP
808 WILSHIRE BOULEVARD, 3RD FLOOR
SANTA MONICA, CALIFORNIA 90401
TEL 310.566.9800 • FAX 310.566.9850

1 KINSELLA WEITZMAN ISER KUMP & ALDISERT LLP
2 LAWRENCE Y. ISER (SBN 094611)
3 liser@kwikalaw.com
4 GREGORY P. KORN (SBN 205306)
5 gkorn@kwikalaw.com
6 GREGORY S. GABRIEL (SBN 239902)
7 ggabriel@kwikalaw.com
8 808 Wilshire Boulevard, 3rd Floor
9 Santa Monica, California 90401
10 Telephone: 310.566.9800
11 Facsimile: 310.566.9850

12 Attorneys for
13 SeaWorld Entertainment, Inc.;
14 SeaWorld Parks & Entertainment, Inc.;
15 SeaWorld Parks & Entertainment LLC
16 and SeaWorld LLC

17 **UNITED STATES DISTRICT COURT**
18 **SOUTHERN DISTRICT OF CALIFORNIA**

19 SPIRALEDGE, INC.,
20
21 Plaintiff,
22 vs.

23 SEAWORLD ENTERTAINMENT,
24 INC.; SEAWORLD PARKS &
25 ENTERTAINMENT, INC.;
26 SEAWORLD PARKS &
27 ENTERTAINMENT LLC,
28 SEAWORLD LLC; and DOES 1-10,
inclusive,

Defendants.

SEAWORLD PARKS &
ENTERTAINMENT, INC.;
SEAWORLD PARKS &
ENTERTAINMENT LLC, SEA
WORLD LLC;

Cross-Complainants,
vs.

SPIRALEDGE, INC.,

Cross-Defendant.

Case No. 13CV0296 BAS-BLM

**DEFENDANTS' NOTICE OF
MOTION AND MOTION FOR
SUMMARY JUDGMENT**

[Declaration of Gregory Gabriel Filed
Concurrently Herewith]

Judge: Judge Cynthia Bashant
Hearing
Date: August 4, 2014
Time: 10:30 am
Crtrm.: 4B

**NO ORAL ARGUMENT UNLESS
REQUESTED BY THE COURT**

Trial
Date: December 3, 2014

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT that on August 4, 2014, at 10:30 a.m. or as soon thereafter as counsel may be heard in Courtroom 4B at 221 West Broadway, 4th Floor, San Diego, California 92101, Defendants SeaWorld Parks & Entertainment, Inc., SeaWorld Parks & Entertainment, LLC, and SeaWorld LLC (“Defendants”) will appear and move the Court for summary judgment of the First Amended Complaint in its entirety. Defendants’ motion is made on the basis that Plaintiff’s asserted trademark is invalid and unenforceable as a matter of law, and that all claims in the First Amended Complaint fail as a result.

Defendants’ Motion is based upon this Notice, the attached Memorandum of Points and Authorities, the accompanying Declaration of Gregory Gabriel and attached exhibits, all papers and pleadings on file herein, and on such other oral and documentary evidence as the Court may receive at or before the hearing on this Motion.

DATED: June 9, 2014

KINSELLA WEITZMAN ISER KUMP &
ALDISERT LLP

By: /s/Lawrence Y. Iser

Lawrence Y. Iser

Attorneys for SeaWorld Entertainment,
Inc.; SeaWorld Parks & Entertainment,
Inc.; SeaWorld Parks & Entertainment
LLC; and SeaWorld LLC